

**NOTICE OF NEED TO FILE PROOF OF CLAIM  
DUE TO RECOVERY OF ASSETS**

Fed. R. Bankr. P. 2002(f) specifies that notice of the time fixed for filing claims is to be given by the clerk, unless the court directs otherwise.

In chapter 7 no asset cases, Rule 2002(e) permits the clerk to advise creditors not to file claims unless assets are discovered.

Rule 3002(c)(5) provides that, when assets are subsequently discovered, the clerk shall notify creditors that proofs of claims are to be filed within 90 days after the mailing of the notice.

Form B 204 is designed for the clerk to use in the discharge of this responsibility. A proof of claim form should be attached. The Proof of Claim (Official Form 10) is discussed in Part I of this Manual.

The clerk is to fill in the date claims are due, which is 90 days after the notice is mailed. Pursuant to Bankruptcy Rule 9006, if day 90 is a Saturday, Sunday, or legal holiday, the deadline for filing claims is extended to the next business day.